

### **REMARKS**

Claims 1-20 are pending in this application. Claims 1-20 are amended and new claims 21-27 are added herein. Claims 1, 3, 17, 19, and 20 are independent.

#### **Indefiniteness**

Claims 1, 3, 5-8 and 13-20 stand rejected under 35 U.S.C. §112, second paragraph, as indefinite.

The claims have been amended in a non-narrowing manner to address the noted concerns. Accordingly, it is respectfully requested that the indefiniteness rejection be reconsidered and withdrawn.

#### **Anticipation**

Claims 1-20 stand rejected under 35 U.S.C. 102(b), as anticipated by Barrie (US Patent 5,980,384). The rejection is respectfully traversed.

#### **Independent Claims 1, 3, 17, 19, and 20**

The independent claims require the capability (i) to shift each allocated symbol of a peripheral group of cells of the matrix from an original cell position to an adjacent cell position such that a loop of allocated symbols are shifted along the peripheral group of cells (see claims 1 and 3) or (ii) to shift each symbol allocated to a cell within or belonging to a peripheral group of cells from an original cell position to an adjacent cell position, in response to operation of a switch (see claims 17 and 20), or (iii) to shift each symbol allocated to a cell belonging to a peripheral group of cells from an original cell position to an adjacent cell position, in response to a user input (see claim 19).

Barrie discloses that the primary game is performed independent of the secondary game, and the secondary game is performed dependent on the primary game (See, for example, the Abstract). The text of Barrie referenced in the Official Action discloses that some of the secondary game symbols are automatically changed from the original secondary game symbols to symbols

used in the primary game, and that the primary game symbols are not changed. Thus, Barrie discloses changing symbols in the secondary game to those in the primary game, but fails to disclose or otherwise suggest a shifting of each allocated symbol of a peripheral group of cells of a matrix from an original cell position to an adjacent cell position of the present invention, as required by each of the independent claims.

Additionally, Barrie also lacks any teaching or suggestion of shifting such symbols so that a loop of allocated symbols are shifted along the peripheral group of cells, as also required by claims 1 and 3.

Further still, Barrie fails to disclose a shifting of symbols (i) in response to operation of a switch, as also required by claims 17 and 20, or (ii) in response to a user input, as required by claim 19. Rather, Barrie explicitly discloses that the described change of symbols in the secondary game is performed automatically. (see Column 4. lines 53-60)

It will also be recognized that each of the independent claims requires the capability to (i) make a disbursement related determination if all cells along a line become effective after a predetermined number of lotteries and the symbols allocated to the respective cells along the line make a winning combination, or (ii) make a cell effective if the symbol allocated to that cell matches the selected symbol, and make a disbursement related determination if the cells along a line are made effective and the symbols allocated to the effective cells along the line make a winning combination. Thus, during play of a single game, the present invention has the capability of both shifting the symbols in the cells and making a disbursement based on whether or not the cells made effective after the shift contain a winning combination of symbols. To modify Barrie to include this capability would violate a principle of operation of Barrie.

It is perhaps also worthwhile to note that in, for example, the gaming machine defined in the amended claim 17, (i) a plurality of symbols is allocated to a plurality of cells, wherein the plurality of cells makes a square matrix, (ii) all cells of one peripheral group are shifted from original positions to adjacent positions, in response to operation of a switch, (iii) a symbol is selected by a

lottery, after the shift of the cells, (iv) the selected symbol is collated with the allocated symbols, and a cell is made effective, if the symbol allocated to that cell matches the selected symbol, and (v) disbursement is executed when there is a winning line and based on the winning combination. That is to say that the cells along a line are made effective and the symbols allocated to the effective cells along that line make a winning combination.

As further defined in, for example, new claim 23 (which depends from claim 17), the shifting of the symbols in the outer peripheral cells is executed by operating a first switch, such as a switch corresponding to reference numeral 34 in the Figures, and the shifting of the symbols in the inner peripheral cells is executed by operating a second switch, such as a switch corresponding to reference numeral 36 in the Figures. (see, for example, page 55 and Figs. 8A-8C).

The present invention may be implemented to combine the fun of a "bingo game" (anticipating whether or not making effective a line of cells will be completed, with the cells being made effective in accordance with a lottery), the fun of a "poker game" or a "mahjong game" (anticipating whether or not a predetermined winning combination along a line will be completed, and changing the disbursement amount according to the winning combination), and the fun of a "puzzle game" (pondering how to shift the symbols in cells to form a winning combination and to receive high payout). Therefore, the present invention enables a new way of enjoying a game in which the aim is not just to complete any line among a plurality of lines, but in which a winning combination can be completed by rearranging the symbols in cells and a disbursed amount can be varied by the rearrangement of the symbols in the cells.

#### Dependent Claims

Other features recited in the dependent claims are also believed to further distinguish over the applied prior art. For example:

Claims 2, 4, and 18 require the capability to shift each allocated symbol of an inner group of cells of the matrix from an inner original cell position. Thus,

the capability to shift symbols in outer and inner cell groups is required. The reference to Figure 2 of Barrie in support of the rejection of these claims is not understood. In any event, it appears that these limitations have been overlooked in the rejection.

Claims 5-8 require a symbol allocation means capable of allocating the symbols to the cells of the matrix such that at least one winning combination of symbols will be in at least one line of cells after a shift of allocated symbols along the peripheral group of cells and/or the inner group of cells, so that the predetermined benefit provided to the player will exceed a predetermined standard. The Official Action asserts that "Barrie discloses of multiple paylines, which are player selectable (col. 6: 24-28)". However, this claim is not simply directed to multiple pay lines. Thus, it appears that limitations have also been overlooked in this rejection.

Claims 9-12 require a valid line determination means for determining a number and locations of lines of cells with respect to which disbursement of game media may be carried out if all cells aligned therein become effective. The Official Action asserts that "Barrie discloses of a combination recognition means, which determines if the combination on the screen results in an award, and if so then provides an award to the player (col. 4: 12-28)." However, these claims are not directed to a "combination recognition means, which determines if the combination on the screen results in an award", but rather to a means for determining a number and locations of lines of cells that, if effective, will result in a disbursement of game media. Thus, it also appears that limitations have been overlooked in this rejection.

Claims 13-16 require a prior cell effective means for making at least one of the cells of the matrix effective based on an effective cell lottery. The Official Action asserts that "Barrie discloses of a prior cell effective means for making on of the cells of the matrix in accordance with an effective lottery (col. 6: 13-23)." However, each of these claims require an effective cell lottery in addition to the selection lottery recited in its parent claim. The referenced Barrie disclosure relates to the results of a selection lottery. Thus, it appears that limitations have

also been overlooked in this rejection.

The new dependent claims also recite features neither taught nor suggested in the applied prior art. Such features include those recited in claims 23-27.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (Case No.1227.42952x00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,  
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